

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7637

Petition of Washington Electric Cooperative, Inc.,)
for a certificate of public good, pursuant to)
30 V.S.A. § 248(j), authorizing the reconstruction)
and expansion of the East Montpelier Substation in)
East Montpelier, Vermont

Order entered: 9/20/2010

I. INTRODUCTION

This case involves a petition filed on July 6, 2010, by Washington Electric Cooperative, Inc. ("WEC"), requesting a certificate of public good ("CPG") pursuant to 30 V.S.A. § 248(j) for the reconstruction and expansion of the existing East Montpelier Substation located at 130 Quaker Road in East Montpelier, Vermont (the "Project").

On July 6, 2010, WEC filed the petition, prefiled testimony, and proposed findings with the Public Service Board ("Board"), the Vermont Department of Public Service ("Department"), and the Vermont Agency of Natural Resources ("ANR"), as specified in 30 V.S.A. § 248(a)(4)(C), pursuant to the requirements of 30 V.S.A. § 248(j)(2).

Notice of the filing in this Docket was sent on August 2, 2010, to all parties specified in 30 V.S.A. § 248(a)(4)(C) and all other interested persons. The notice stated that any party wishing to submit comments as to whether the petition raises a significant issue with respect to the substantive criteria of 30 V.S.A. § 248 must file their comments with the Board on or before August 30, 2010.

On August 19, 2010, WEC filed a letter correcting typos and clerical errors in its July 6 petition.

The Department reviewed the petition and corrections and filed comments with the Board on August 30, 2010, stating that the project does not raise any significant issues with respect to the substantive criteria of 30 V.S.A. § 248, but did recommend that the Board include one

condition regarding the grounding-rod layout. The Department does not oppose the issuance of the CPG with the inclusion of the grounding-rod-layout condition.

On September 1, 2010, WEC filed a letter consenting to the condition recommended by the Department regarding the grounding-rod layout.

No other party filed comments.

The Board has reviewed the petition and accompanying documents and agrees that, pursuant to 30 V.S.A. § 248(j), a CPG should be issued without the notice and hearings otherwise required by 30 V.S.A. § 248.

II. FINDINGS

Based upon the petition and accompanying documents, the Board hereby makes the following findings in this matter.

1. WEC is a duly organized public service cooperative with its principal place of business located in East Montpelier, Vermont. Petition at 1.
2. WEC owns and operates a substation located at 130 Quaker Hill Road, in East Montpelier, Vermont, which provides electrical service to approximately 1,640 residential and commercial member-customers in parts of the towns of East Montpelier, Calais, East Calais, Adamant, Marshfield, Plainfield, Barre, Orange, and Cabot. The existing substation contains three 1667 kVa transformers and one spare. Weston pf. at 3-4; Kischko pf. at 4.
3. The Project involves the replacement of the existing substation. The existing substation must be replaced because its wooden support structure has deteriorated beyond reasonable economic repair. The existing substation also lacks an oil-spill-containment system and adequate, safe working clearances between energized high-voltage disconnects, switches, and equipment. Kischko pf. at 5; Weston pf. at 4-5 and 7.
4. The new substation will be constructed in the footprint of the existing substation and parking lot, expanding the existing four-sided fenced area from forty-nine feet by forty-nine feet to a polygonal-shaped fenced area that, at its widest, is eighty feet by 100 feet. The Project will replace the existing wooden support structure with a galvanized steel support structure, which WEC anticipates will weatherize and dull within a year. The Project will also replace the three

existing, active transformers, which have reached the end of their useful life, with three new 1667 kVa transformers that utilize individual circuit regulation, remote monitoring, and single phase protection. The fourth existing transformer, installed in 2000, will remain on-site as a spare. In addition, the Project will be built to allow for proper clearances around energized equipment, as well as the ability to accommodate a portable substation. The Project will also include the installation of an oil-spill-containment system, four motion-activated security lights, and an eight-foot-by-twelve-foot control building. Kischko pf. at 5-6; Weston pf. at 4-8 and 29-30; exhs. WEC-1(C), 1(E), 1(S), and 6(D).

5. The Project also involves relocating the existing 34.5 kV transmission line, which is currently located over the top of the existing substation. This transmission line will be relocated east of the substation fence onto four new forty-foot-tall transmission poles. Each new pole will be a wooden, class one pole with three separate conductors mounted on crossarms. The line relocation will be partly within the existing 34.5 kV transmission corridor and partly on adjacent WEC property. The Project will also include the installation of a 34.5 kV Nova recloser¹ on the most northern transmission pole to provide fault protection on the line, which serves the Maple Corner substation. Weston pf. at 8; Crocket pf. at 4-5; exhs. WEC-1(C5) and 6.

6. In addition, the three existing overhead 15 kV distribution feeders, which exit from the existing substation, will be placed under ground from the new substation to the first pre-existing distribution pole on the feeder. Weston pf. at 6; Kischko pf. at 7; exhs. WEC-1(C2).

7. The estimated cost for the Project is \$904,400. The Project will be partially funded with American Recovery and Reinvestment Act monies awarded to Vermont Transco LLC for the development of various smart-grid projects. WEC will also borrow approximately fifty percent of the estimated cost from the Rural Utilities Service ("RUS"). Weston pf. at 12-15.

8. WEC anticipates construction will be completed during the fall of 2010, with re-energization planned for the last week of November. Kischko pf. at 7.

1. We infer that the 34.5 kV Nova recloser is a vacuum-insulated model. If not, and the recloser is a sulfur-hexafluoride-insulated model, then WEC shall submit a leakage detection and refilling maintenance plan with the Board for approval prior to the construction.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

9. The Project will not unduly interfere with the orderly development of the region, with due consideration having been given to the recommendations of the municipal and regional planning commissions, the recommendations of municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality. This finding is supported by findings 2-8, above, and findings 10-12, below.

10. The Project's construction plans were presented and explained to the Central Vermont Regional Planning Commission and to the Town of East Montpelier ("East Montpelier"). Neither entity presented any objections to the Project and both entities waived the 45-day advance notice requirement for reviewing the project as provided by 30 V.S.A. § 248(f). Weston pf. at 16-17; exhs. WEC-7 and 8.

11. The Project will provide for the current needs of the residents and businesses in East Montpelier, Calais, and the surrounding areas and will enhance reliability on the line serving the Maple Corner substation. In addition, the Project will provide redundant backup to distribution feeders currently served by WEC's Maple Corner, Moretown, and Jackson Corner substations, thereby enhancing service reliability for WEC's member-customers. Weston pf. at 15 and 18; *see* finding 5, above.

12. The new substation will be built on the site of the existing substation and parking area and the transmission line relocation will be within, and adjacent, to the existing transmission corridor. The Project will disturb less than one acre during construction and will not affect primary agricultural soils or adversely impact wetlands or other sensitive or ecologically fragile areas. In addition, the Project will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment or public health and safety. Crocket pf. at 4-5; Weston pf. at 7, 17, and 19; exhs. WEC-1(C1), 1(C2), 5, and 11-13; *see* findings 19-55, below.

Need For Present and Future Demand for Service

[30 V.S.A. § 248(b)(2)]

13. The Project is required to meet the need for present and future demand for service which could not otherwise be provided in a more cost-effective manner through energy conservation programs and measures and energy efficiency and load management measures. Weston pf. at 17-18. This finding is further supported by findings 3-6 and 11, above.

System Stability and Reliability

[30 V.S.A. § 248(b)(3)]

14. The Project will not adversely affect system stability and reliability. This finding is supported by findings 3-5 and 11, above, and findings 15-17, below.

15. The substation will be taken off line for approximately three months during construction. During construction, the Maple Corner and Jackson Corner substations will continue to serve their current load and have a combined ability to absorb the load currently served by the East Montpelier substation. However, member-customers served by the East Montpelier substation may be exposed to some minimal adverse effects on reliability during construction due to the additional length of line on the circuits picking up the load. The degree of these adverse effects worsens if construction is delayed or carried into the transitional season months when severe weather events are more likely. Kischko pf. at 7; Crocket pf. at 4-5.

16. The Project will enhance system efficiency and reliability for WEC's member-customers by replacing an old facility with new, energy-efficient, and reliability-enhancing equipment such as: low-loss power transformers; individual circuit regulators; remote monitoring; and solid-state, single/three-phase fault protection. Weston pf. at 4, 7-8, and 11-12; Kischko pf. at 6; Crocket pf. at 4-5; exh. WEC-1 and 16.

17. WEC's relocation of the 34.5 kV transmission line will not have an adverse impact the stability and reliability of the nearby Green Mountain Power Corporation ("GMP") 3317 line. Exh. WEC-16.

Discussion

Member-customers served by the East Montpelier substation may be exposed to some minimal adverse effects on reliability during construction due to the additional length of line on the circuits picking up the load and that these adverse effects could worsen if construction is delayed and pushed into the transitional weather months. While some minimal and temporary adverse effects are tolerable, WEC must carefully consider the impact of any construction delays on such adverse effects and adjust its construction plans accordingly to minimize any adverse effects on system stability and reliability.

Economic Benefit to the State

[30 V.S.A. § 248(b)(4)]

18. The Project will result in an economic benefit to the state and its residents by enhancing reliability and reducing the number and duration of outages for approximately 1,640 residential and business member-customers served by the East Montpelier substation. Weston pf. at 15-16. This finding is further supported by findings 3-6, 11, and 16, above.

Aesthetics, Historic Sites, Air and Water Purity, the Natural Environment and Public Health and Safety

[30 V.S.A. § 248(b)(5)]

19. The Project, as proposed, will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment and the public health and safety. This finding is supported by findings 20-55, below, which are based on the criteria specified in 10 V.S.A. §§ 1424a(d) and 6086(a)(1) through (8), 8(A) and (9)(K).

Outstanding Resource Waters

[10 V.S.A. § 1424a(d)]

20. The Project is not located on or near any Outstanding Resource Waters. Weston pf. at 21; exh. WEC-17.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

21. The Project, as proposed, will not result in undue water or air pollution. This finding is supported by findings 22-24, below.

22. The Project does not involve any activities that would create undue air pollution. The Project's operation will not produce any air emissions and will not involve processing or storing radioactive materials. The Project's construction will not produce excessive dust or smoke. No herbicides or burning will be employed to clear the site. Weston pf. at 19.

23. The Project will not result in undue noise pollution. The Project will reduce the noise levels emitted from the existing East Montpelier substation. Noise from the Project will be limited and should not be audible beyond the substation fence. The noise level from the new substation will be significantly less than the level of noise from the existing transformers and the new connectors will reduce the buzzing noise associated with the existing, older connectors. Kischko pf. at 8.

24. The Project will not result in undue water pollution. The Project's construction-related earth disturbances will be limited to approximately 0.13 acres (less than 5,000 square feet). The Project is designed to avoid adverse impacts on water quality and the additional impervious area at the Project site will be limited to the eight-foot-by-twelve-foot control building. Weston pf. at 19-20; exhs. WEC-1(C2), 1(C4) and 11. *See also* findings 25-40, below.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

25. The Project is not known to be located in a headwaters area. Weston pf. at 22; exh. WEC-11.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

26. The Project will meet any applicable health and environmental conservation regulations regarding the disposal of wastes, and will not involve the injection of waste materials or any

harmful or toxic substances into ground water or wells. This finding is supported by findings 27-29, below.

27. There will be no discharge or disposal of any harmful or toxic substances associated with the Project. Weston pf. at 22.

28. The existing substation structure will be dismantled and recycled consistent with WEC's policies and practices and all construction debris will be disposed of at a State-approved landfill or, if possible, recycled. Weston pf. at 8 and 22.

29. The new substation will include an oil-spill-containment system. Any leak from a transformer will be collected in an impervious concrete pit and piped to an underground oil/water separator tank. Any transformer liquids or oils collected will be disposed of off-site. Weston pf. at 22-23; exh. WEC-1(C3).

Water Conservation

[10 V.S.A. § 6086(a)(1)(C)]

30. The Project will not require a water supply. Weston pf. at 23 and 25.

Floodways

[10 V.S.A. § 6086(a)(1)(D)]

31. The Project will not be located within a floodway. Weston pf. at 23-24; exh. WEC-10.

Streams

[10 V.S.A. § 6086(a)(1)(E)]

32. The Project area does not include any streams. Weston pf. at 24.

Shorelines

[10 V.S.A. § 6086(a)(1)(F)]

33. The Project will not be located near any shorelines. Weston pf. at 24.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

34. The Project will not impact wetlands. Weston pf. at 25; exh. WEC-11.

Sufficiency of Water and Burden on Existing Water Supply

[10 V.S.A. § 6086(a)(2) and (3)]

35. The Project will not require a water supply. Weston pf. at 23 and 25.

Discussion

WEC stated that the Project's construction will not involve excessive dust² and did not address whether the Project will employ any dust-control measures during construction, such as wetting the ground surface or applying calcium chloride. To the extent WEC uses any water for dust control, WEC must truck in water from an appropriate off-site source.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

36. The new substation will not result in unreasonable soil erosion or reduce the ability of the land to hold water. This finding is supported by findings 37-40, below.

37. Soil disturbances during construction will be minimal because the new substation will be constructed within the existing substation site and parking lot. In addition, during construction, WEC will implement an erosion control and sediment plan, including the use of silt fencing, reseeding, and mulching, to prevent migration of construction soils and sediment beyond the construction zone. Weston pf. at 7-8 and 25-26; exh. WEC-1(C2).

38. The Project will create only one new, twelve-foot-by-eight-foot, impervious surface for the control building. Weston pf. at 26; exhs. WEC-1(C2) and 1(E6).

39. The substation footprint will include six to twelve inches of crushed gravel and three to four inches of crushed stone. In addition, drainage swales with stone check dams surrounding the substation will help collect runoff and ensure that existing drainage patterns remain the same. Weston pf. at 26; exhs. WEC-1(C2) and 1(C4).

2. See finding 22.

40. Based on WEC's proposed soil erosion control measures, ANR has determined that soil erosion is not a concern at the Project site. Weston pf. at 26; exh. WEC-11.

Transportation Systems

[10 V.S.A. § 6086(a)(5)]

41. The Project will not cause unreasonable congestion or unsafe conditions with respect to transportation systems. This finding is supported by findings 42-43, below.

42. During construction, there will be a minimal and temporary increase in traffic. During operation, the Project should have no impact on transportation systems. Weston pf. at 26-27.

43. WEC will continue to use the existing access road from Quaker Hill Road for access to the Project. Exh. WEC-1(C1).

Educational Services

[10 V.S.A. § 6086(a)(6)]

44. The Project will not have any impact on educational services. Weston pf. at 27.

Municipal Services

[10 V.S.A. § 6086(a)(7)]

45. The Project will not unreasonably burden the ability of any municipalities to provide municipal services. Weston pf. at 27; exhs. WEC-7-8.

Aesthetics, Historic Sites or Rare and Irreplaceable Natural Areas

[10 V.S.A. § 6086(a)(8)]

46. The Project will not have an undue adverse effect on the scenic or natural beauty, aesthetics, historic sites or rare and irreplaceable natural areas. This finding is supported by findings 3-6, above, and findings 47-50, below.

47. The Project will not have an adverse aesthetic impact on the area. The new substation will be constructed within the fenced and parking lot areas of the existing East Montpelier

substation, which has been in place for thirty-five years. Although the fenced area will be enlarged, the new substation will be substantially similar to the existing substation with its profile height slightly lower on the high-side and approximately the same on the low-side. In addition, the substation's lighting will be limited to four motion-activated security lights. Kischko pf. at 6; Weston pf. at 29-30; exh. WEC-1.

48. The Project also involves undergrounding a section of existing overhead distribution lines and relocating the transmission line from the top of the existing substation to four new transmission poles. The line relocation will not involve clearing trees and will be partly within the existing 34.5 kV transmission corridor and partly on adjacent WEC property. Weston pf. at 8; Kischko pf. at 7; exhs. WEC-1(C5) and 6.

49. The Project is located 275 feet from Quaker Hill Road, which is the only public road that features a view of the substation. The Project will be partially shielded from the north and east with evergreens and WEC proposes planting evergreen trees at the southwest corner. Weston pf. at 29; exhs. WEC-1(C2) and 1(C4).

50. There are no historic sites, archeologically sensitive areas, or rare and irreplaceable, and natural areas in the vicinity of the proposed project. Weston pf. at 30-31; exhs. WEC-12-13.

Discussion

Based on the above findings, we find that the Project will not have an undue adverse effect on the aesthetics or scenic and natural beauty of the area. In reaching this conclusion, we rely on the Environmental Board's methodology for determination of "undue" adverse effects on aesthetics and scenic and natural beauty as outlined in the so-called *Quechee Lakes* decision. *Quechee Lakes Corporation*, 3W0411-EB and 3W0439-EB, dated January 13, 1986.

As required by this decision, it is first appropriate to determine if the impact of the project will be adverse. The project would have an adverse impact on the aesthetics of the area if its design is out of context or not in harmony with the area in which it is located. If it is found that the impact would be adverse, it is then necessary to determine that such an impact would be "undue." Such a finding would be required if the project violates a clear written community standard intended to preserve the aesthetics or scenic beauty of the area, if it would offend the sensibilities of the average person, or if generally available mitigating steps would not be taken to

improve the harmony of the project with its surroundings. The Board's assessment of whether a particular project will have an "undue" adverse effect based on these standards should be significantly informed by the overall societal benefits of the project.

In this case, the Project will have very minimal aesthetic impacts because the Project site is the location of an existing substation and includes existing overhead distribution and transmission lines. Given that the new substation's profile will be similar to the existing substation and that the substation fences will merely be expanded into the existing parking lot area, the new substation will not affect the harmony of the area because it will be viewed within the context of the long-standing, existing impacts. Further, the first section of the previously overhead distribution lines will be undergrounded and the four new transmission poles will be within, and adjacent to, an existing transmission corridor and will therefore not have a noticeable aesthetic impact on the area. In addition, the Project will be partially shielded from the north and east with evergreens and WEC proposes planting additional evergreen trees at the southwest corner of the Project site.³ Given these considerations, we find that, with appropriate landscaping, the Project will not have an adverse aesthetic impact.

To ensure that the Project will not have an adverse aesthetic impact, the landscaping plan must adequately screen the Project from the southwest. As proposed, WEC plans to install white pines at the southwest corner of the Project site.⁴ However, white pines tend to require pruning and mature to heights that do not provide adequate low screening. Therefore, WEC should revise its landscaping plan to include evergreen tree species, such as cedars, that mature to lesser heights and that require less pruning. In light of this concern, we require WEC to submit a revised landscaping plan with the Board for approval before the completion of construction.

3. Weston pf. at 29; exhs. WEC-1(C2) and 1(C4).

4. Exhs. WEC-1(C2) and 1(C4).

**Necessary Wildlife Habitat and
Endangered Species**

[10 V.S.A. § 6086(a)(8)(A)]

51. There are no known wildlife habitats or endangered species in the proximity of the Project or that will be impacted adversely by the Project. Weston pf. at 31; exh. WEC-13.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

52. The Project will not unnecessarily or unreasonably endanger the public or quasi-public investments in any governmental public utility facilities, services, or lands, or materially jeopardize or interfere with the function, efficiency, or safety of, or the public's use or enjoyment of or access to such facilities, services, or lands. Weston pf. at 31.

Public Health and Safety

[30 V.S.A. § 248(b)(5)]

53. The Project will not have any adverse effects on the health, safety, or welfare of the public and will not unnecessarily or unreasonably endanger the public or adjoining landowners. This finding is supported by findings 54-55, below.

54. The Project, as required by the RUS, will incorporate an oil-spill-containment system. Weston pf. at 14.

55. One reason the existing East Montpelier substation is at the end of its useful life is because the existing substation is out of compliance with the current RUS and National Electric Safety Code ("NESC") standards. The new substation will allow for proper working clearances around energized equipment and the new transformers will be equipped with Copper's Envirotemp® FR3 fluid, a fluid that meets or exceeds both the National Electric Code ("NEC") and NESC standards. Kischko pf. at 4-6; Weston pf. at 5 and 11; exh. WEC-4.

Discussion

WEC did not expressly state that the Project will be designed in accordance with the RUS, NEC, and/or NESC safety requirements. However, WEC plans to borrow funds from the

RUS and install an RUS-required oil-containment system, and specifically identified the existing substation's non-compliance with the RUS and NESC standards as a reason for constructing the new substation.⁵ Further, WEC stated that the new substation will be built with "proper working clearances" and that the transformers will utilize dielectric fluid that meets or exceeds NEC and NESC standards.⁶ Therefore, we infer that WEC intends to comply with all applicable RUS, NEC, and NESC standards and we condition the issuance of the Project's CPG on such compliance.

In addition, the Department, in a letter filed on August 30, 2010, expressed some concerns regarding the adequacy of the grounding rods in relation to the lightning arrester and requested that the Board include a condition that "WEC shall work with the Department to determine the appropriate number of grounding rods before it begins construction."⁷ WEC indicated to the Department that Exhibit WEC-1(E5), submitted with its petition, represented a minimum layout for the Project's grounding rods. On September 1, 2010, WEC filed a letter consenting to the Department's request for the inclusion of a condition regarding the grounding-rod layout. We acknowledge the importance of installing adequate grounding rods to ensure that the Project does not unreasonably endanger the health, safety, or welfare of the public or adjoining landowners. Accordingly, we adopt the Department and WEC's agreed-upon condition, requiring WEC to work with the Department to determine the appropriate number of grounding rods before it begins construction. Prior to construction, WEC shall submit the final grounding-rod layout to the Board for approval. If the two parties cannot come to an appropriate agreement, the parties shall present a disagreement to the Board for resolution.

5. Kischko pf. at 4-5; Weston pf. at 7 and 14.

6. Kischko pf. at 6; Weston pf. at 5 and 11; exh. WEC-4.

7. Letter from Laura Scanlan Beliveau, Esq., to Susan Hudson, Clerk of the Board, filed August 30, 2010. *See* exh. WEC-1(E5).

Least-Cost Integrated Resource Plan

[30 V.S.A. § 248(b)(6)]

56. The Project is consistent with WEC's Least-Cost Integrated Resource Plan ("IRP"), as supplemented by its Long Range Plan, approved by the Board in Docket 6896. *Investigation into WEC's IRP*, Docket 6896, Order of 6/15/05 at 58; Weston pf. at 9; exh. WEC-2(A).

Compliance With Electric Energy Plan

[30 V.S.A. § 248(b)(7)]

57. The Project is consistent with the *Vermont Electric Plan*. The Project will improve transmission and distribution efficiency through enhanced system configurations and the installation of energy efficient transformers, reclosers, and voltage regulators. Weston pf. at 12; exhs. WEC-2(A), 2(C) and 4.

Outstanding Resource Waters

[30 V.S.A. § 248(b)(8)]

58. The Project is not located on or near any Outstanding Resource Waters. Weston pf. at 21; exh. WEC-17.

Existing Transmission Facilities

[30 V.S.A. § 248(b)(10)]

59. The Project will have a positive effect on existing or planned transmission facilities by improving reliability for the load served by the East Montpelier substation and by providing fault protection on the line serving the Maple Corner substation. Weston pf. at 12-13. *See also* findings 16-17, above.

IV. CONCLUSION

Based upon all of the above evidence, the proposed construction will be of limited size and scope; the petition does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248; the public interest is satisfied by the procedures authorized in 30 V.S.A.

§ 248(j); and the proposed project will promote the general good of the state.

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The proposed reconstruction and expansion of the East Montpelier substation in the Town of East Montpelier, Vermont, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248, and a certificate of public good to that effect shall be issued in this matter.
2. The Project shall be constructed in accordance with the evidence and plans submitted in these proceedings. Any material deviation from these plans must be approved by the Board.
3. Prior to proceeding with construction, Washington Electric Cooperative, Inc. ("WEC") shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the proposed Project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Vermont Agency of Natural Resources and the U.S. Army Corps of Engineers.
4. To the extent WEC uses any water for dust control, WEC must truck in water from an appropriate off-site source.
5. Prior to the completion of construction, WEC shall submit a revised landscaping plan with the Board for approval.
6. The Project shall include an oil-spill-containment system in accordance with the evidence and plans submitted in this proceeding and as required by the RUS.
7. WEC shall comply with all applicable RUS, National Electric Code, and National Electric Safety Code standards.
8. WEC shall work with the Department to determine the appropriate number of grounding rods before it begins construction and, prior to construction, shall submit the final grounding-rod layout to the Board for approval. If the two parties cannot come to an appropriate agreement, the parties shall present their disagreement to the Board for resolution.

Dated at Montpelier, Vermont, this 20th day of September, 2010.

s/ James Volz)

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s/ David C. Coen)

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s/ John D. Burke)

PUBLIC SERVICE
BOARD

OF VERMONT

OFFICE OF THE CLERK

FILED: September 20, 2010

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.